



7/15/15 2747 Prince

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

ESMERALDA RODRIGUEZ, )  
Plaintiff, )  
v. )  
METLIFE INSURANCE COMPANY, )  
Defendant. )

Case No. **CJ 2015-2747**

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

MAY 12 2015

**PETITION FOR RECOVERY ON LIFE INSURANCE POLICY**  
**BY SURVIVING SPOUSE OF THE INSURED**

TIM RHODES  
COURT CLERK

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COMES now the Petitioner, **Esmeralda Rodriguez**, and respectfully represents and shows to  
this Court the following, to-wit:

1. That Petitioner, Esmeralda Rodriguez now is, and at all times relevant to this action, a resident of Oklahoma City, Oklahoma County, Oklahoma.
2. That Petitioner, Esmeralda Rodriguez is the surviving spouse and beneficiary of the insurance policy referred to below.
3. That the Petitioner, Esmeralda Rodriguez and Guadalupe Rodriguez, the decedent was married on May 28, 2004, in Bexar County, Texas, and they resided in Oklahoma County, Oklahoma, until 2007.
4. That Guadalupe Rodriguez, a former employee of the Federal Government and maintained a life insurance policy under the Federal Employee Group Life Insurance Program.
5. Defendant, MetLife Insurance, now is, and at all times relevant to this actions was, a corporation duly organized and existing under the laws of New York, authorized by the Secretary of the State of New York, to engage in the business of writing and selling life insurance this state, with its principal place of business located at 1833 S. Morgan Road, Oklahoma City, OK 73128.
6. August 31, 2014, Guadalupe Rodriguez departed this life and was a resident of

Cleveland County, Oklahoma.

7. That Defendant, MetLife Insurance Company pays claims for the Federal Employee Group Life Insurance Program.

8. Defendant, MetLife Insurance Company, has a duty and obligation to pay the life insurance proceeds in the Order of Precedence as stated form RI25-33; the beneficiary named by the deceased or the widow of the deceased. The life insurance policy fails to identify a named beneficiary by the deceased and therefore, the widow, Esmeralda Rodriguez is the lawful beneficiary and surviving spouse to the life insurance proceeds.

9. On October 30, 2014, plaintiff furnished defendant with notice and proof of the death of Guadalupe Rodriguez. Plaintiff and Guadalupe Rodriguez, each performed all the conditions of the policy of insurance on their part.

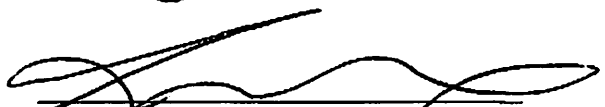
10. All the conditions of the policy have been performed by Plaintiff, Esmeralda Rodriguez and Guadalupe Rodriguez, and although more than 180 days have elapsed since plaintiff furnished defendant with notice and proof of Guadalupe Rodriguez's death, defendant has failed to pay plaintiff the sum due on the policy, or any part of it.

11. That Plaintiff, Esmeralda Rodriguez, is not aware of any conflicting claims to the insurance proceeds.

12. No part of the life insurance proceeds has been paid, and such sum is now due and owing from defendant to plaintiff as executor of the Estate of Guadalupe Rodriguez

WHEREFORE, Plaintiff requests judgment against defendant in the sum of total amount of the life insurance policy, plus costs of this action, and such other and further relief as the court deems just and proper.

Dated this 12th day of May, 2015.



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Attorney for Plaintiff

**CERTIFICATE OF MAILING**

I hereby certify that on the 12 day of May, 2015, a true and correct copy of the above foregoing document was deposited into the United States Mail, with proper postage prepaid to the following:

Mr. Jeffrey E. King  
MetLife Insurance Company  
Office of Federal Employee's Group Life Pension  
P.O. Box 6080  
Scranton, PA 18505-6080



RONALD "SKIP" KELLY